

### **REMARKS**

Claims 1, 8 and 9 remain in the application. New, dependent claim 12 has been added. Claims 1 and 8 are in independent form.

#### **Claim Rejections Under 35 U.S.C. §112**

Claim 8 stands rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

The Applicant has amended Claim 8 into independent form, substantially conforming to amended Claim 1 but distinguished therefrom by the number and location of the resilient tongues (13). It is respectfully submitted that the rejection under 35 U.S.C. §112, first paragraph, is now overcome.

#### **Claim Rejections Under 35 U.S.C. §103**

Claims 1 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Weber et al. (WO Patent 02/053421) in view of Kotlarski (U.S. Patent 6,668,419) and Baseotto (WO Patent 02/234594).

Each of Weber '421, Kotlarski '419, and Baseotto '594 fails to disclose the combination of features of this invention as recited in independent Claims 1 and 8 of the subject application. Namely, Weber '421 fails to teach each leg of the oscillating arm having a respective clamping member that engages around longitudinal, outwardly facing sides of the joint part such that the clamping members together with the substantially U-shaped cross-section of the oscillating arm form a generally C-shaped cross section. Notable connector features may be observed in traditional (yoke-type) wiper blade constructions (e.g., Valeo's FR 2 788 027), but nowhere is

this connection type taught in the Applicant's field of endeavor—namely flat blade style wipers (also known as “yoke-less” blade constructions).

The claimed clamping feature of the subject invention, coupled with the claimed resilient tongue(s) 14, enables a secure connection of the oscillating arm 8 to the joint part 12 through the action of a straight, longitudinal coupling motion. The installation of a wiper device 1 to the oscillating arm 8 is thus accomplished in a smooth, continuous motion. The prior art flat blade designs all require compound motions (e.g., vertical and longitudinal motions combined) to accomplish a secure connection. The claimed invention achieves a high degree of connection security in a much simpler connection operation. This advantage is enabled by the unique combination of features in a flat blade application, including clamping members 17 formed on each leg 15 that engage around longitudinal, outwardly facing sides of the joint part 12. The claimed clamping members 17 together with the substantially U-shaped cross-section of the oscillating arm 8 form a generally C-shaped cross section.

It is respectfully submitted that a *prima facie* case of obviousness has not been established against the claimed invention because none of the references teach, suggest or in any way motivate the novel combinations of this invention within the Applicant's field of endeavor.

Claim 12 has been added to mirror Claim 9, while depending directly from new independent Claim 8.

Reconsideration of this application as amended is respectfully requested on the basis of these amendments.

It is believed that this application is now in condition for allowance. Further and favorable action is requested.

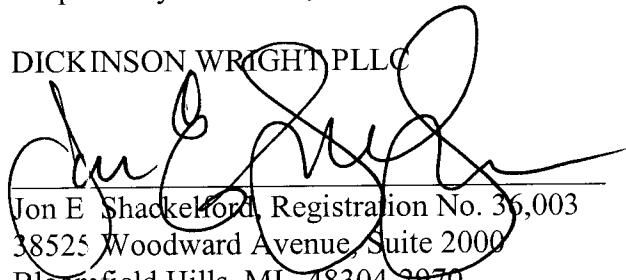
Application No: 10/528,856

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The Patent Office is authorized to charge or refund any fee deficiency or excess to  
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Respectfully submitted,

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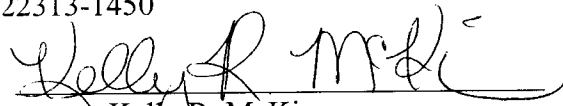
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